

5

APPLICATION FOR UNITED STATES UTILITY PATENT

10

Title of the Invention:

METHOD AND SYSTEM FOR PROVIDING DESIGN LAW RESOURCE CENTER

10 11 12 13 14 15 16 17 18 19 20

Inventors/Residences:

Perry J. Saidman and Damon A. Neagle

of Silver Spring, Maryland

20

Attorney Docket No.: 999.609

Cross-reference to Related Application

This application claims the benefit of our prior provisional application Ser.

No. 60/178,586, filed January 28, 2000.

Summary of the Invention

The invention comprises an internet website providing information, services and products relating to legal issues (e.g., intellectual property protection) for designs. The types of designs can include industrial design, graphic design, architectural design, art design, and the like. The website will preferably be located at the internet domain URL **www.designlaw.com**.

The primary purpose of the website is to serve as a resource for anyone interested in the interplay between the law and design. The target audience will include designers, attorneys having design-related practices, and others interested in learning more about designs and protecting them with intellectual property rights. It will also cover basic legal concepts involving designs, such as who owns designs, contracts between designers and companies, and the like. Collectively, the interplay between design and the law will be referred to hereinafter as "design law".

Brief Description of the Drawings

10

The foregoing and other aspects of the present invention will become more fully apparent from the following detailed description of the present invention when viewed in conjunction with the accompanying drawings, in which the sole drawing figure comprises a schematic diagram of a preferred embodiment of a website according to the present invention.

15
20
25
30
35
40
45
50
55
60
65
70
75
80
85
90
95***Detailed Description of The Preferred Embodiment***

As illustrated in the sole drawing figure, users of the website would first be directed to a home page 10 which serves as a gateway to the information, products and services offered on the site. The information, products and services available from home page 10 preferably include one or more of the following:

- 20
- **LINKS 20** – Links 20 preferably comprise hyperlinks to other websites related to design law, including websites dedicated to: law firms that have one or more specialists in design law, design associations (e.g., Industrial Designers Society of America, Association of Professional Design Firms, etc.), U.S. and

5

foreign patent, trademark and copyright agencies (e.g., USPTO, etc.), and existing laws and legislation (e.g., from the U.S. Congress, etc.).

10

- **RESOURCES FOR DESIGNERS 30** – This category preferably comprises design law information written for designers relating to legal issues such as intellectual property protection for designs (such information may be offered as a free service or for a fee), patent litigation insurance, etc.. This category may also include contact information for “design agents”, i.e., persons (not necessarily attorneys) who represent designers in negotiations with those manufacturers who may be interested in the marketing and sale of products embodying new designs. Finally, it may also include a marketplace for designs where designers can offer to license/sell their new designs to manufacturers.
- **RESOURCES FOR ATTORNEYS 40** – This category would preferably provide design law information for attorneys who represent designers including, for example, articles on recent cases involving protection of designs (i.e., design patent cases, trade dress cases, trademark cases involving product configuration trademarks, and copyright cases). Information would also be presented on how to use utility patents to protect designs, and statistics on

15

20

5

the effectiveness of litigation, etc. The category may also include a database from which attorneys can order images of products involved in design-related cases, and a periodic digest of the state of design law. Such attorney resource services could be offered for a fee.

10

- **BIBLIOGRAPHY OF ARTICLES 50** – This product/service would comprise a list of articles relating to designs and design law, along with hyperlinks to the text of the articles (which may be offered as a free service or for a fee).
- **EXPERT WITNESS PANEL 60** – This product/service preferably would include contact and bibliographical information for a group of legal and design experts in fields relating to design, including, e.g., design patent law, trade dress law, and industrial design. The website may further offer placement services between such experts and principals (e.g., litigators) for a fee.
- **DESIGN PROTECTION ASSOCIATION 70** – This preferably comprises an association devoted to the protection of designs, mainly by intellectual property (e.g., design patents, utility patents, trade dress, copyright, etc.). The association's activities could include, for example, lobbying for improvements in U.S. and foreign laws relating to design protection, and

15
20
25
30
35
40
45
50
55
60
65
70
75
80
85
90

5

operating a design protection co-operative. The design protection co-operative could, e.g., pool the resources of designers, design firms and companies that might not otherwise have the financial means to pursue infringers of their intellectual property rights. The co-operative, using its aggregate resources, would take court action against an infringer of a member of the cooperative. Criteria for such action would be governed by the associations board of governors.

10

- **CASE STUDIES 80** – This product would preferably comprise brief presentations of cases and designs of current and/or historical interest, and could be offered on a fee or no-fee basis.
- **SPEAKER ROSTER 90** – This product/service would provide information about people (e.g., designers, lawyers) who are available to speak to legal or designer groups on design law topics.
- **DISPUTE RESOLUTION 100** – This product/service comprises information relating to the resolution of disputes involving designs, including legal remedies, alternative dispute resolution (e.g., mediation, arbitration), and contact information for experts in the field of design dispute resolution.

15
20
25
30
35
40
45
50
55
60
65
70
75
80
85
90
95

- **Current Design Law News 110** – This product/service would provide information about current events relating to design law, including new and proposed legislation and regulatory changes, recent court decisions, and other events of interest to users of the website.

- **LAW FIRM PROFILES AND BIBLIOGRAPHIES 120** – This product/service would provide information, including profiles and bibliographies, relating to law firms and attorneys who specialize in design law.
- **DISCUSSION FORUMS 140** – This product/service may include chat rooms and bulletin boards where users of the website can communicate with one another about design and design law issues.

As described above, some of the information and services offered on the website would be offered on a fee basis. However, it is believed to be important that at least some of the information be offered at no cost in order to establish the credibility of the persons and/or entity hosting the website as experts in the field of design law.

5 Obviously, numerous modifications of this method and system are possible.

For example, not all of the resources noted above need be made available through the home page. One or more of the resources (e.g., The Design Protection Association) may be established as a separate entity with its own home page. Other resources in the field of design and law can be added as the need arises.

10

Further, it should be understood that the simplified structure of the website represented in the sole drawing figure should not be limiting, inasmuch as it is representative only, and a more sophisticated website structure and/or architecture is anticipated as the website is constructed.

15

20